

MINUTES  
REGULAR MEETING  
MINERAL WELLS CITY COUNCIL  
CITY HALL ANNEX  
January 16, 2018 - 6:00 pm

City Councilmembers present were Mayor Mike Allen, Mayor Pro-Tem Tammy Underwood, Councilmembers Brian Shoemaker, Regan Johnson, Jerrel Tomlin, and Doyle Light. A quorum of City Councilmembers was present.

Staff members present were City Manager Lance Howerton, Finance Director John Moran, Fire Chief Mike Pool, Police Chief Dean Sullivan, City Clerk Peggy Clifton, and City Attorney Will Trevino. Public Works Director Kelly Jones was absent.

Mayor Allen called the meeting to order. Pastor Mark Alcorn of Calvary Baptist Church of Mineral Wells led the invocation, and the Pledges of Allegiance to the U.S. and Texas flags were recited.

**CITIZEN COMMENT**

Mayor Allen recognized Mr. Lann Murphy of 1100 Cactus Drive in Mineral Wells who had signed to speak. Mr. Murphy stated that he was there to present the City the founding donation checks for Rev-it-up Mineral Wells. John Moran suggested we could have a discussion item on the next City Council Meeting.

The following CONSENT AGENDA was approved by a vote of 6-0:

1. Consider approval of minutes of meeting held December 19, 2017.
2. Consider approval of budgeted expenditures over \$500.
3. Consider ratification of execution of Agreement for Transfer of Entitlements - TxDOT Aviation/FAA Non-Primary Entitlement (NPE) funds.
4. Consider authorizing resolutions appointing the City Clerk as an authorized representative of the City for banking services.

City Manager Lance Howerton introduced Mr. Will Trevino who was sitting in for City Attorney Mack Reinwand.

*ITEM # 1*

## ITEMS FOR INDIVIDUAL CONSIDERATION

5. Mayor Allen opened a public hearing at 6:07 pm regarding an ordinance amending the zoning classification on property known as Subdivision "A" of Lot Four (4), Block Three (3), WIGGINS ADDITION located at 415 NW 4th Street. Mr. Howerton said it was an unusual situation because we are looking at "back zoning" a piece of property from Local Business, our most restrictive business zoning destination, to SF-6, Single-Family. A sale had been pending of the Silk Stocking Row Bed & Breakfast. The buyers are wanting to utilize the building as a Single-Family Residence and there were zoning questions raised by the prospective lender. That is the reason the requestor is asking for the zoning change. This was presented at the Planning & Zoning Committee Meeting on January 8, 2018, and was approved at that time. No one was there to speak and the public hearing closed at 6:09 pm. Mrs. Underwood moved and Ms. Johnson seconded that an ordinance be approved changing the zoning classification on certain property known as Subdivision "A" of Lot Four, Block Three, Wiggins Addition, to Single-Family Residential (6,000 s.f. lot) (SF-6); amending the Zoning District Map accordingly; providing for a penalty not to exceed \$2,000 for each violation; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and an effective date. Motion carried 6-0.
  
6. Mayor Allen opened a public hearing at 6:10 pm regarding a replat of Block 13, 200 x 200, of the Hitt Addition, Mineral Wells, Palo Pinto County, Texas, to Lots 1-4, Block 13 of the Hitt Addition, Mineral Wells, Palo Pinto County, Texas. Mr. Howerton stated that the Planning and Zoning Commission had also considered and approved this replat at its meeting on January 8, 2018. Habitat for Humanity wants to build an additional four homes here to sell and be utilized as moderate-income homes. The location is at the corner of SE 9th Avenue and SE 6th Street, very close in proximity to the Travis Elementary School. Katherine Bender of Habitat for Humanity was there to answer any questions that the Council might have. Mr. Shoemaker commented that the one house they had built was very well done. Mrs. Underwood stated that we were very glad to have them to which Ms. Bender replied they were very glad to be here. There was no one else there to speak and the public hearing closed at closed at 6:13 pm. Mr. Shoemaker moved and Mrs.



Underwood seconded to approve the replat as presented.  
Motion carried 6-0.

7. Mr. Howerton discussed that the City Code does not allow for the permanent occupancy of recreational vehicles as a residential unit. Code Enforcement had found that one of our churches was providing opportunities for furloughed missionaries, and other individuals who were in this vicinity raising funds and doing outreach activities, was allowing them to park an RV and live at their church. Code Enforcement identified this activity as not being conforming to the ordinance as presently written. After discussion with the Pastor of the church, it became apparent that this would be a community asset to continue doing this. Given the location of the church, this use would not be incongruent with the other land uses in that particular area. The amendment to the existing code is very similar to what the code currently provides for non-profit organizations. This exception to the code was crafted with churches in mind. The City Attorney felt that we could extend the period of time that is allowed from 30 days to 180 days to accommodate this request.

Mr. Shoemaker asked Mr. Howerton how you would enforce or know that somebody had been there 180 days. Mr. Howerton stated they would get a permit/letter that will have the date when the clock will start. Mr. Howerton verified to Mayor Allen that the permit would not have a cost. Mr. Light brought up the fact that they could have someone there year round. Mr. Howerton replied that according to the Pastor, the individuals were typically not there more than two or three months.

Mrs. Underwood stated that the wording calling them non-profit would not apply to only churches. Mr. Howerton confirmed that you could have organizations that were non-church related come in and ask for something similar. Mr. Shoemaker moved and Mr. Light seconded to amend an ordinance of the City of Mineral Wells, Texas, amending section 62-4 of the Mineral Wells Code of Ordinances to authorize the parking of recreational vehicles on a premises owned by a non-profit organization under certain circumstances; providing for publication; providing a repealer and severability clause; providing for a penalty; and providing an effective date. Motion carried 6-0.

8. Mr. Will Trevino stated that all that needed to be done on this item was to make a motion to approve and the swearing in could be done afterward. Ms. Johnson moved and Mr. Light seconded to approve the appointment of Peggy Clifton to the Office of City Clerk. Motion carried 6-0.
9. Police Chief Dean Sullivan gave a Public Safety presentation. At the September 19, 2017 meeting the Council had directed staff to bring forward a proposal to address the staffing issues in the Fire and Police Departments. He discussed the police officer to population ratios. The average ratio is 2.2 per thousand and Mineral Wells' ratio is 1.9 per thousand. The Mineral Wells Fire Department's ISO rating is Class 5. He discussed conducting a strategic staffing plan that would help the ISO ratings. He emphasized that hiring of additional officers and promotion of Sergeants, Lieutenants, and a Captain can be done by the current, stable, experienced staff, leaving the departments well situated to move forward in the future.

He also discussed overtime averaging about \$300,000 a year in both departments combined. Of that, about \$95,000 to \$100,000 is mandatory overtime because of the 24 hour a day nature of the job. Because of the limited number of positions that the City has, and no one to replace them, some have to be pulled into mandatory staffing fill. He stated how Envision Mineral Wells is the framework and platform for tomorrow. He discussed the staffing on the Fire Department in regard to response time to a call and how it is when you only have one Firefighter available on a call for an emergency.

He gave a review on the call volume in Fire and EMS, which are two different functions. We are getting more mutual aid calls because we don't have the resources available for their emergencies. He discussed how the gap between entry-level for the Mineral Wells police officers average pay compared to other agencies is about 12%. He also discussed the pay comparison for Fire/EMS and dispatchers. He recommended adjustments to the Fiscal Year 2018/2019 pay for entry-level to an adjusted increase of 12% for police and 4% for dispatch. He recommended hiring two entry-level police officers, three entry-level firefighters, and one in telecommunications for the upcoming fiscal year. He discussed more pay increases and entry-level position openings for the Fiscal Year 2019/2020. Mr. Light spoke of



Public Safety being his priority. He stated it was an excellent starting place. No action taken.

10. Fire Chief Mike Pool stated that the Assistance to Firefighter Grants were open again and they have assessed the need to replace the Quint, which was manufactured in 2001 and brought to Mineral Wells in 2003. The Quint has had some problems throughout the years and the manufacturer is no longer in business and we cannot find parts as readily available as needed. It will take a couple of years to get a new unit built. He wants to ask FEMA for a grant of \$765,000. Ladder trucks are a high priority this year. Mrs. Underwood questioned the City's percent of the costs. She asked Mr. Howerton about the budget aspect of it and he replied that since it would not be ready and coming out of the upcoming budget, he thinks that we should take advantage of it. Mrs. Underwood moved and Mr. Light seconded to approve a resolution authorizing submission of an application for Assistance to Firefighter Grant (AFG) to Federal Emergency Management Agency (FEMA) for the purchase of an Aerial Ladder/Engine. Motion carried 6-0.

11. Fire Chief Mike Pool spoke of how Paramedics and Firefighters are in very short supply. The Paramedic training became accredited a couple of years ago and is either through a college or a hospital. This made it more difficult and a lot more expensive and limited the people that have the ability to go to school. He stated that the metroplex is having the same shortage that we are having in hiring Firefighter/Paramedics. He talked about other areas that are giving sign-on bonuses for Firefighter/Paramedics. He has found trainingdivision.com who partnered with Ranger College who will work with us and try to make the majority of our personnel both Firefighters and Paramedics to be able to share that workload. Ms. Johnson asked what the matching funds were to which Chief Pool responded 5%. Ms. Johnson moved and Mr. Tomlin seconded to approve a resolution authorizing submission of an application for Assistance to Firefighter Grant (AFG) to Federal Emergency Management Agency (FEMA) for Paramedic training. Motion carried 6-0.

12. Mr. Moran stated that we are required to go out for Request for Proposals (RFP's) every five years for depository services. Our Investment Advisor assisted in preparing a Depository Services Agreement and it had been sent to our City Attorney for review but had not yet been returned. This will be submitted to all of our local banks. With a tight schedule,

he asked that the Council approve this contingent upon the City Attorneys approval of the RFP. Mr. Will Trevino said that it would be reviewed and approved by tomorrow morning, January 17. Mr. Light moved and Mr. Shoemaker seconded authorizing the issuance of a Request for Proposals for Depository (Banking) Services contingent upon the City Attorneys approval. Motion carried 6-0.

13. Mr. Moran stated we had an RFP for a Utility Rate Study to make sure that we are keeping our utility funds healthy. This would be the water and wastewater funds and additionally we will need to do a study on drainage utility. We received four responses to the RFP; NewGen Strategies & Solutions, Raftelis Financial Consultants, Inc., Triton Consulting Group, and Willdan Financial Services. He recommended to accept the proposal of NewGen Strategies who bid an amount not to exceed \$35,000. He stated that he had used this company twice in the past and has had good results from them. He recommended that the Council authorize a Professional Services Agreement with them. Ms. Johnson moved and Doyle Light seconded the approval of NewGen Strategies & Solutions for a Utility Cost of Service Study and authorize the Mayor to execute a Professional Services Agreement. Motion carried 6-0.

14. Mrs. Peggy Clifton thanked the Council for her appointment. She stated that Councilman John Upham has tendered his resignation from the City Council. He had been on the City Council since May, 2010. She stated that while it had been an honor working with him on the Council, the City Council needed to formally accept his resignation. Mr. Shoemaker moved and Mr. Light seconded to accept the resignation of Councilman John Upham for the Mineral Wells City Council.

Mayor Allen asked Mr. John Upham to come forward. He stated that Mr. Upham had been a loyal and very dedicated Councilman for the last eight years and he has a lot of admiration for what Mr. Upham has done. He then presented Mr. Upham a plaque for loyal service and leadership to the City of Mineral Wells and her citizenry as being a City Councilmember, Ward Three from May, 2010 to January, 2018. Mr. Upham then received a standing ovation.

15. Mr. Howerton stated that the Council is not required to make an appointment to the vacancy on the City Council representing Ward Three. The term that was held by Councilman Upham will be expiring in May, 2018. The Council does have the



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authority to make an appointment or wait until the upcoming election. If they choose to appoint someone to fill the vacancy, this would be made by a majority appointment of the Council. Mr. Will Trevino confirmed this and stated that the Charter provides the process that must be followed but does not require that the City Council actually make an appointment. With the election upcoming in May, that person would only serve a couple of months pending the election.

Mr. Shoemaker said he had spoken with a citizen that lives in Ward Three who was willing to serve in that position until the election. He suggested appointing Ms. Leah Burns to the Council. Mr. Light stated that with this seat being up for election in May if we appoint someone that later decided they wanted to be a candidate in the election, the appointment might be used as an endorsement of the person. He also spoke of the time that it would take for us to properly advertise to fill the position, have an opportunity to speak with the applicants, and vote to put someone in this position. Mrs. Underwood stated that she was leaning the same way as Mr. Light because it is a huge learning curve when you first get on the Council. A lot of new Councilmembers will observe and they don't ask many questions in the beginning because they are trying to grasp just how things work. She felt that it would be putting that person in an unusual position to only be here a few months. She questioned what would happen with an even number of Councilmembers in the event of a tie vote. Mr. Will Trevino stated that while something like a zoning issue that requires a majority vote could be gridlocked, with most items he can't imagine there being a gridlock or a tie.

Mrs. Underwood asked what the process would be to advertise for submission of applications. Mr. Howerton stated that we had typically advertised and usually have about a month to accept applications and give people plenty of time to be made aware that the vacancy exists. Then a committee of the Council would be appointed to take applications, interview the applicants, and then make a recommendation to the Council. Typically it takes six weeks to two months to go through that process depending on how long the Council would want that application period to be open. Mr. Shoemaker stated that we were essentially looking at eight Council meetings before somebody is elected. Ms. Johnson stated that since there were just a handful of meetings before the election process, appointing someone may not be the most efficient way to go. Since we are going to be that close, let it be a public election.

Mr. Tomlin stated that he had been a part of that process and it was three and a half months before he sat at the dais, which would put us right at election time. He stated that if he would not have had that timeframe, he would not have put himself out there for the position. But with 18 months remaining, it made sense to him. Mr. Light stated that if the make-up of our Council was different he might feel differently. We do have two At-Large Places so the citizens aren't "stuck" in Ward Three if they have a need to contact a Council representative. He stated that with the short timeframe we have, it makes more sense to wait for the election. Mr. Light moved and Ms. Johnson seconded to leave Council Ward Three position vacant pending the May election. Motion carried 5-1 with Mr. Shoemaker voting against.

There was no further business, and the meeting was adjourned at 7:28 pm.

  
Mike Allen, Mayor

ATTEST:

  
Peggy Clifton, City Clerk

APPROVED: 02-06-2018

